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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/603,314	06/24/2000	Barry Scott Farah	63773-00002	1624

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EXAMINER

SHAW, JOSEPH D

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 07/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/603,314

Applicant(s)

FARAH ET AL.

Examiner

Joseph D Shaw

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☒ Claim(s) 23,28,32 and 36 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:
 - a. Page 4, line 3: The word "cites" assumed to mean "cities."
 - b. Figure 3, item 310: The word "Miss" is assumed to mean "MIS."

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-3, 7-8, 19-20, 21-23, 27-28, and 39-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Marchoili et al. (6,233,588).

c. As per claims 1 and 21, Marchoili teaches a regional (building) network containing server connected to a LAN (interconnection channel) and through that same connection (Ethernet card) an external connection to the master server (Fig. 1; Fig. 2; col. 4, lines 55-61; col. 5, lines 36-41); and connecting various devices (integrated building services) to the LAN (Fig. 2; col. 5, lines 28-41).

d. As per claims 2-3 and 22-23, Marchoili discloses the claimed invention as described above and furthermore teaches connecting security devices such as alarm monitoring, badging, and other access control equipment (service devices) to the regional network (Fig. 2; col. 5, lines 28-31).

e. As per claims 7-8 and 27-28, Marchoili discloses the claimed invention as described above and furthermore teaches connecting workstations (client devices) to the regional network (Fig. 2; col. 5, lines 35-41).

f. As per claims 19-20 and 39-40 Marchoili discloses the claimed invention as described above and furthermore teaches a plurality of regional networks, each containing servers, security devices (service devices) and workstations (client devices), connected via a WAN (communications network)(Fig. 2; col. 5, lines 38-41).

5. Claims 1, 11-12, 21, and 31-32 are rejected under 35 U.S.C. 102(e) as being anticipated by McCarthy et al. (6,498,955).

- g. As per claims 1 and 21, McCarthy teaches a network (interconnection channel) consisting of DMX computer (server) in series connected to a satellite (external communications interface)(Fig. 1; col. 22, lines 31-42); and connecting a group environment computer (integrated building service) to the network (Fig. 1; col. 22, lines 31-42).
 - h. As per claims 11-12 and 31-32, McCarthy discloses the claimed invention as described above and furthermore teaches the group environment computer hosting a program (client application) that selects music preferences based on who is in the room (automatic personal adaptable environment control)(Abstract; col. 22, lines 36-38; col. 22, lines 51-60).
6. Claims 1, 15-16, 21, and 35-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Gupta (6,446,109).
- i. As per claims 1 and 21, Gupta teaches a data center (building) with a network (interconnection channel) consisting of a server with modem (external communications interface) connected to a WAN (Fig. 1; col. 2, lines 57-68; col. 3, lines 1-5); and connecting an application (integrated building service), residing on the server, to the network (Fig. 1; col. 2, lines 34-43).
 - j. As per claims 15-16 and 35-36, Gupta discloses the claimed invention as described above and furthermore teaches the applications to be MIS applications including accounting, personnel, and payroll (col. 2, lines 34-43).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 4-5, 9-10, 24, 26, and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marchoili et al. (6,233,588) in view of Maeda (6,557,033).

k. As per claims 4-5, 9-10, 24, 26, and 29-30 Marchoili discloses the claimed invention as described above. However, Marchoili does not explicitly teach the act of integrating the device (service or client). Maeda teaches a process of integrating devices to communicate on a network consisting of connecting an identified device to the network and loading a developed driver (adapter element) onto the server so that communications can be established (Fig. 9; lines 11-52). However, Maeda does not explicitly teach repeating the process for more devices. "Official Notice" is taken that such repetition for the purpose of ensuring all devices are integrated is well known and expected in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the process of integrating devices onto a network as taught by Maeda in the system of Marchoili because this process would allow for the device to be recognized and used by the PC (server) as taught by Maeda

(col. 3, lines 39-40; Fig. 9) and to repeat the process for all necessary devices because such a process would ensure all necessary devices are integrated.

9. Claims 6 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marchoili et al. (6,233,588) in view of Maeda (6,557,033) as applied to claims 4-5, 24, and 26 above, and further in view of Byford (6,581,161).

I. As per claims 6 and 25, Marchoili discloses the claimed invention modified by Maeda as described above. However, Marchoili/Maeda do not explicitly teach sending an access ID from an access device to the server, comparing the ID to the database, and sending back the appropriate authorize or deny signal. Byford teaches a user interacting with an access control device, the data (access ID) from that interaction sent to a server containing a database with access control data, that data compared to the data in the database, and, if matched, an authorization signal returned to the access control device (Abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the method of determining access as taught by Byford in the system of Marchoili/Maeda because this method would alleviate the disadvantages of locally controlled security that is not easy to cater to a rapid change in circumstances as taught by Byford (col. 1, lines 29-33).

10. Claims 13-14 and 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCarthy et al. (6,498,955) in view of Fontana et al. (6,167,564).

m. As per claims 9-10, and 29-30, McCarthy discloses the claimed invention as described above. However, McCarthy does not explicitly teach the act of integrating the application. Fontana teaches a process of building software to be integrated into a system, comprising of the steps of component model (identification), generator and creator tools (develop), and deploy (connect)(Fig. 6). However, Fontana does not explicitly teach repeating the process for more applications. "Official Notice" is taken that such repetition for the purpose of ensuring all applications are integrated is well known and expected in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the process of integrating software onto a network as taught by Fontana in the system of McCarthy because this process would reduce the complexity of developing and managing applications in a heterogeneous environment as taught by Fontana (col. 1, lines 46-68) and to repeat the process for all necessary applications because such a process would ensure all necessary applications are integrated.

11. Claims 17-18 and 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta (6,446,109) in view of Smith (6,349,408).

n. As per claims 17-18 and 37-38 Gupta discloses the claimed invention as described above. However, Gupta does not explicitly teach the act of integrating the MIS application. Smith teaches a process of implementing applications where once an application is identified and installed, all necessary services

(adapter elements) are registered and installed (Fig. 5; col. 2, lines 4-11, 19-24; col. 5, lines 23-57). However, Smith does not explicitly teach developing the services that allow interaction between the application and operating system or repeating the process for all necessary applications. "Official Notice" is taken that the development of the services is necessary for the application to properly function with the operating system and that the repetition of application implementation is conventional for the purpose of ensuring all applications are integrated are well known and expected in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the process of implementing applications as taught by Smith in the system of Gupta because this method for implementation would allow for automated installation and extensible applications as taught by Smith (col. 1, lines 55-62), to develop services because the services would allow the application to communicate with the operating system, and to repeat the process because such a repetition would ensure all necessary applications are integrated.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- o. Acimovic et al. (5,517,185) teaches an integrated building control system that controls a plurality of devices and services.

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13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D. Shaw whose telephone number is 703-305-0094. The examiner can normally be reached Monday - Thursday, 6:30 AM - 4:00 PM, and on alternate Fridays.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 703-305-4003. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3718 for regular communications and 703-305-3718 for After Final communications.

15. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5484.

JDS
Joseph D. Shaw
July 22, 2003


RUPAL DHARIA
PRIMARY EXAMINER